

Introduced by Senator Lowenthal

February 22, 2005

An act to add Section 1735 to the Harbors and Navigation Code, relating to ports.

LEGISLATIVE COUNSEL'S DIGEST

SB 763, as introduced, Lowenthal. Ports: priority berthing program.

(1) Existing law regulates the operation of ports and harbors.

This bill would require the Port of Los Angeles and the Port of Long Beach to develop a program to provide priority berthing to ocean-going vessels that use fuel with not more than 0.2% sulfur content. The bill would require the program to be implemented by the ports by June 1, 2006.

The bill would establish a state-mandated local program by imposing these requirements upon these ports.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1735 is added to the Harbors and
2 Navigation Code, to read:

3 1735. (a) The Port of Los Angeles and the Port of Long Beach
4 shall develop a program to provide priority berthing to
5 ocean-going vessels that use fuel with not more than 0.2 percent
6 sulfur content.

7 (b) The program shall provide that if there is a line or queue
8 for ocean-going vessels waiting to dock at the port, ocean-going
9 vessels that use fuel with not more than 0.2 percent sulfur content
10 are authorized to move to the front of the line or queue and
11 receive priority for docking.

12 (c) The ports shall implement this program by June 1, 2006.

13 SEC. 2. If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.